United States District Court Southern District of Texas

## **ENTERED**

June 05, 2023 Nathan Ochsner, Clerk

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS VICTORIA DIVISION

ENABLE MISSISSIPPI RIVER	§	
TRANSMISSION LLC,	§	
	§	
Plaintiff,	§	
	§	Civil Case No. 6:23-CV-00025
<b>v.</b>	§	
	§	
LINN ENERGY HOLDINGS, LLC,	§	
and DEVON ENERGY	§	
PRODUCTION COMPANY,	§	
	§	
Defendants.	§	

## **ORDER**

This adversary proceeding was filed in May 2016 in the Bankruptcy Court for the Southern District of Texas. Bankruptcy Judge David R. Jones, by Report and Recommendation, recommends withdrawing the reference under 28 U.S.C. § 157 because (1) the proceeding is non-core, (2) there is no forum shopping concern, (3) uniformity, economy, and efficiency support withdrawal of the reference, (4) both parties have properly made jury demands, and (5) the parties have not consented to a jury trial before the Bankruptcy Court. (Dkt. No. 1 at 4–5). The Parties have filed a Joint Motion to Withdraw the Reference. (*See* Dkt. No. 2).

Having considered the arguments and the applicable law, the Court **ADOPTS** the Report and Recommendation of the Bankruptcy Court. (Dkt. No. 1). The Court **GRANTS** the parties' Joint Motion to Withdraw the Reference. (Dkt. No. 2). The Court **WITHDRAWS** the reference in the above-styled adversary proceeding.

A scheduling conference will be set by separate order.

It is SO ORDERED.

Signed on June 2, 2023.

DREW B. TIPTON

UNITED STATES DISTRICT JUDGE